



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Gary C. Fulks	:
Serial No.	:	10/849,969	:
Attny No.	:	DP-310523	: GROUP: Unknown
Filed	:	May 20, 2004	: EXAMINER: Unknown
Title	:	BRAKE WITH CALIBRATION AND DIAGNOSTICS AND METHOD AND PROGRAM PRODUCT RELATED THERETO	:

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: MAIL STOP MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts of Application dated October 4, 2004, Applicant is submitting herewith the required executed Declaration under § 37 CFR 1.53(b).

Also enclosed herewith is a copy of the self-addressed return post card which was submitted with the application when initially filed which indicates the executed Declaration was included with the initial filing. Therefore, applicant believes that no fees are due, however, if any become required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789. Enclosed as well is a copy of the Notice to File Missing Parts of Application - Filing Date Granted as requested.

Respectfully submitted,

James R. Yee, Registration No. 34,460  
The Pinehurst Office Center, Suite #101  
39400 Woodward Avenue  
Bloomfield Hills, MI 48304-5151  
(248) 645-1483

October 28, 2004  
Date

Enclosures

**CERTIFICATE OF MAILING**

I hereby certify that this Response and fee is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, **MAIL STOP MISSING PARTS – NO FEE**, P.O. Box 1450, Alexandria, VA 22313-1450 on October 28, 2004.

Melissa Dadisman  
Melissa S. Dadisman

# Howard & Howard

22782 U.S. PTO  
10/849969

052004

## COMMISSIONER OF PATENTS & TRADEMARKS

Please confirm receipt of the document(s) checked below by stamping and returning this card to us.

Inventor / Applicant: FULKS / Delpu

Date 5/20/04

Attorney: JRY

Mark: \_\_\_\_\_

File No.: 60408-445

## PATENTS / TRADEMARKS -

New Patent Application:

CON  CIP  DIV  FWC  Provisional  PCT

8 Page(s) Specification

5 Page(s) Claims

1 Page(s) Abstract

5 Sheets of Drawing (formal/informal)

New Trademark Application:

Use  Intent to Use

\_\_\_\_ Drawing

\_\_\_\_ Specimens

Small Entity Declaration

PCT Request \_\_\_\_\_ Pages

Certificate of Express Mail

Assignment

Response/Amendment

Statement of Use

Priority Document

Executed Declaration & Power of Attorney

Fee Calculation Sheet

Information Disclosure Statement

Recordation Cover Sheet

Extension of Time

Section 8 Affidavit

Issue Fee Transmittal

Transmittal Cover Sheet

General Power of Attorney

PTO 1449

Response to Invitation

Certificate of Mailing

Section 15 Affidavit

Maintenance Fee Transmittal, \_\_\_\_\_ Year

Missing Parts

Patent Copies

Notice of Appeal

Appeal Brief

Renewal Application

Change of Fee Address

Make of Record Letter

Other: App Data Sheet, check

Fee: \$ 5172.00

Serial/Patent/Registration No. 101A

Date Received: \_\_\_\_\_

**EV308125044US**



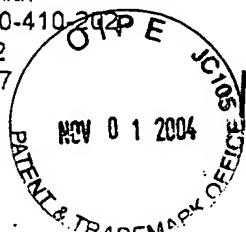
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FLING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/849,969	05/20/2004	Gary C. Fulks	DP-310523

CONFIRMATION NO. 8637  
*10/04/04-445*

Michael D. Smith  
Mail Code: 480-410-202  
P.O. Box 5052  
Troy, MI 48007



*M/P due:*

*04 Dec. 04*

## FORMALITIES LETTER



\*OC000000013997738\*

Date Mailed: 10/04/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*RECEIVED/DELPHI*  
*OCT 06 2004*  
*Legal Staff*

*A copy of this notice **MUST** be returned with the reply.*

S. Yerushalmy  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY